

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

SYL 501

U. S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/807573

INTERNATIONAL APPLICATION NO.  
PCT/FR99/02443INTERNATIONAL FILING DATE  
12 October 1999PRIORITY DATE CLAIMED  
16 October 1998

TITLE OF INVENTION

PHARMACEUTICAL COMPOSITION WITH GASTRIC RESIDENCE AND CONTROLLED RELEASE

APPLICANT(S) FOR DO/EO/US

ALAU, Gérard; ANDRE, Frédéric; CUINE, Alain; and, LEWIS, Gareth

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ Unexecuted oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
   
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
   
Citation of References
  
Information Disclosure Statement by Applicant (Form PTO-1449)

T04030" E4540860

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>09/807573</b>		INTERNATIONAL APPLICATION NO. PCT/FR99/02443		ATTORNEY'S DOCKET NUMBER SYL 501	
17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and international Search Report not prepared by the EPO or JPO .....\$1000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....\$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....\$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....\$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) .....\$100.00 <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	40 -20 =	20	x \$18.00	\$ 360.00	
Independent claims	1 - 3 =	0	x \$80.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1220.00	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed ( Note 37 CFR 1.9, 1.27, 1.28).				\$	
<b>SUBTOTAL =</b>				\$ 1220.00	
Processing fee of \$130.00 for furnishing the English translation later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$ 1220.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 1220.00	
				Amount to be refunded:	\$
				Charged	\$1220.00
a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.					
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>19-0091</u> in the amount of <u>\$1220.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0091</u> . A duplicate copy of this sheet is enclosed.					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>					
SEND ALL CORRESPONDENCE TO:					
Patent Department Sanofi-Synthelabo Inc. 9 Great Valley Parkway P.O. Box 3026 Malvern, PA 19355 Facsimile: (610) 889-8799					
SIGNATURE <u>PAUL E. DUPONT</u> DATE <u>Apr 13, 2001</u>					
NAME <u>27,438</u>					
REGISTRATION NUMBER <u>(610) 889-6338</u>					
TELEPHONE NUMBER					

09/807573

Application of: ALAUX, Gérard; ANDRE, Frédéric; CUINE, Alain;  
and LEWIS, Gareth

Docket No.: SYL 501

Filing Under 35 U.S.C. § 371

Filed As a U.S. National Phase Application of  
International Application Serial No. PCT/FR99/02443  
Filed 12 October 1999

FOR: PHARMACEUTICAL COMPOSITION WITH  
GASTRIC RESIDENCE AND CONTROLLED  
RELEASE

**CERTIFICATE UNDER 37 C.F.R. 1.10**

Express Mail Label No.: EL676471142US

Date of Deposit: April 13, 2001

I hereby certify that the attached Transmittal Letter is being deposited  
with the United States Postal Service "Express Mail Post Office to  
Addressee" Service on the date indicated above, and is addressed to:  
Commissioner for Patents, Box PCT, Attn: EO/US, Washington, DC  
20231

Paula H. Dickey  
Signature